

Customer No.: 31561
Application No.: 10/711,670
Docket No.: 12847-US-PA

REMARKS

Claims 1-17 are pending of which claims 1, 8 and 14 have been amended and the claims 3, 9 have been cancelled without prejudice or disclaimer in order to more explicitly describe the claimed invention. Moreover, applicants respectfully traverse the Examiner's rejection based the following arguments. Furthermore, applicants respectfully submit that claims 1-2, 4-8, and 10-17 patently define over prior art of record and reconsideration of this application is respectfully requested.

Discussion of rejection to claims under 35 U.S.C. 102(b)

2. *Claims 1-3, 5-9 and 11-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Baumhauer Jr. et al. (US 5,121,416A).*

In response thereto, applicant respectfully traverses the rejection based on the following arguments. To establish a prima facie case of anticipation, the prior art reference (i.e. Baumhauer) must teach or suggest all the limitations of independent claims 1, 8 and 14. The independent claims 1, 8 and 14 are amended to incorporated the following feature of claim 3; i.e. "the first microphone and the second microphone (i.e. an input module as claimed in amended claims 8 and 14) faces a predetermined direction for receiving the near-end audio signal and

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the loud speaker (i.e. an output module as claimed in amended claims 8 and 14)
faces a direction within a range just opposite to the predetermined direction,
and the direction in which the loudspeaker outputs the far-end audio signal is
opposite to the predetermined direction.”

The Examiner rejects above underlined feature by referring col.8, lines 31-37 in Baumhauer (see lines 7-11, page 3 in OFFICE ACTION). In fact, Baumhauer discloses “owing to the location of the nulls used in the present invention (90° and 180°), it is possible to reverse the direction of the various response pattern while still maintaining loudspeaker 151 within these nulls.” This is, aforementioned disclosure only refers to the direction of response pattern to be reversed, not face direction of microphones (or input module) and loudspeaker (or output module). Furthermore, from Fig.13, in Baumhauer, loudspeaker 131 and four microphone housing 110-1, -2, -3, -4 are aimed upwardly (see col.7, lines 54-55). In other words, in Baumhauer, a direction in which the loudspeaker outputs far-end audio signal is the same as a predetermined direction in which the microphone faces for receiving near-end audio signal. However, as claimed in amended claims 1, 8, 14, a direction in which the loudspeaker outputs far-end audio signal is opposite to a predetermined direction in which the microphone faces for receiving near-end audio signal. Accordingly,

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configuration of microphone (or input module) and loudspeaker (output module) in amended claims 1, 8 and 14 is totally different from that in Baumhauer. Thus, Baumhauer fails to teach, suggest or disclose the aforementioned underlined feature as claimed in amended claims 1, 8 and 14. Namely, amended claims 1, 8 and 14 are not anticipated by Baumhauer, and accordingly patentable.

Regarding dependent claims 2, 5-7, 9, 11-13 and 15-17, they should be patentable for the reason that they contain all limitations of their respective patentable base claims 1, 8 and 14.

Discussion of rejection to claims under 35 U.S.C. 103(a)

4-5. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baumhauer in view of Miller (US 5,029,215).

In response thereto, since claims 4 and 10 are dependent claims, they contain the aforementioned underlined feature as claimed in amended claims 1 and 8. Moreover, Baumhauer fails to teach, suggest or disclose this feature, and so does the combination of Baumhauer and Miller. Thus, claims 4 and 10 are patentable as a matter of law for the reason that they contain all limitations of their corresponding patentable base claims 1 and 8.